

EXHIBIT "A"

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GOVERNMENT EMPLOYEES INSURANCE CO.,
GEICO INDEMNITY CO., GEICO GENERAL
INSURANCE COMPANY and GEICO CASUALTY
CO.,

Docket No.:
15-cv-7236 (ERK)(RML)

Plaintiffs,

**CONSENT ORDER AND
INJUNCTION**

-against-

BRUCE JACOBSON, D.C., et al.

Defendants.

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WHEREAS, Plaintiffs, Government Employees Insurance Co., GEICO Indemnity Co., GEICO General Insurance Company and GEICO Casualty Co. (collectively, "Plaintiffs" or "GEICO") commenced this action against, among others, Defendants Bruce Jacobson, D.C., BMJ Chiropractic, P.C., NJ Pain Treatment, P.C., Jacobson Chiropractic, P.C., Dr. Bruce Jacobson DC P.C., and NJ Neuro & Pain, P.C.; and

WHEREAS, Defendants BMJ Chiropractic, P.C., Jacobson Chiropractic, P.C., Dr. Bruce Jacobson DC P.C., Robert Klass, D.C., and Peter Albis, D.C. have defaulted in this action, and the Clerk of Court has entered their respective defaults;

WHEREAS, Defendants Bruce Jacobson, D.C., BMJ Chiropractic, P.C., NJ Pain Treatment, P.C., Jacobson Chiropractic, P.C., Dr. Bruce Jacobson DC P.C., and NJ Neuro & Pain, P.C. have commenced numerous arbitral proceedings in which they seek to collect no-fault insurance benefits from Plaintiffs; and

WHEREAS, Plaintiffs seek – among other things – a declaratory judgment in this action declaring that Defendants Bruce Jacobson, D.C., BMJ Chiropractic, P.C., NJ Pain Treatment,

P.C., Jacobson Chiropractic, P.C., Dr. Bruce Jacobson DC P.C., and NJ Neuro & Pain, P.C. have no right to receive payment on any of the pending bills they have submitted to Plaintiffs, including the bills that are the subject of the arbitral proceedings that they have commenced against Plaintiffs;

NOW THEREFORE, upon the stipulation of the parties, it is hereby

ORDERED that the entries of default against Defendants BMJ Chiropractic, P.C., Jacobson Chiropractic, P.C., Dr. Bruce Jacobson DC P.C., Robert Klass, D.C., and Peter Albis, D.C. are hereby set aside pursuant to Fed. R. Civ. P. 55, for good cause shown; and

IT IS FURTHER ORDERED, that pending the final disposition of this action, including any appeals, Defendants Bruce Jacobson, D.C., BMJ Chiropractic, P.C., NJ Pain Treatment, P.C., Jacobson Chiropractic, P.C., Dr. Bruce Jacobson DC P.C., and NJ Neuro & Pain, P.C., as well as their attorneys, agents, and anyone purporting to act on their behalf, are restrained and enjoined from commencing or prosecuting lawsuits, arbitrations or other proceedings seeking to collect money from GEICO on their own behalf or as assignees of rights from persons entitled to first-party benefits under policies issued by Plaintiffs, including but not limited to the lawsuits and arbitral proceedings they already have commenced against GEICO; and

IT IS FURTHER ORDERED, that pending the final disposition of this action, including any appeals, Defendants Bruce Jacobson, D.C., BMJ Chiropractic, P.C., NJ Pain Treatment, P.C., Jacobson Chiropractic, P.C., Dr. Bruce Jacobson DC P.C., and NJ Neuro & Pain, P.C., as well as their attorneys, agents, and anyone purporting to act on their behalf shall take all steps necessary to effectuate the intent of this Consent Order and Injunction, including but not limited to the dismissal of any lawsuits and/or arbitrations without prejudice in the event

that any court and/or arbitral forum refuses to acknowledge the force and effect of this Order;
and

IT IS FURTHER ORDERED, that pending the final disposition of this action, the American Arbitration Association is enjoined and restrained from: (i) accepting the filing of any arbitration demand seeking payment from GEICO by or on behalf of Bruce Jacobson, D.C., BMJ Chiropractic, P.C., NJ Pain Treatment, P.C., Jacobson Chiropractic, P.C., Dr. Bruce Jacobson DC P.C., and NJ Neuro & Pain, P.C. or any of them; (ii) assigning any pending matters for hearing and award between Bruce Jacobson, D.C., BMJ Chiropractic, P.C., NJ Pain Treatment, P.C., Jacobson Chiropractic, P.C., Dr. Bruce Jacobson DC P.C., and NJ Neuro & Pain, P.C., or any of them, and GEICO; and (iii) issuing any awards involving arbitrations between Bruce Jacobson, D.C., BMJ Chiropractic, P.C., NJ Pain Treatment, P.C., Jacobson Chiropractic, P.C., Dr. Bruce Jacobson DC P.C., and NJ Neuro & Pain, P.C., or any of them, and GEICO; and

IT IS FURTHER ORDERED, that pending the final disposition of this action, the statutes of limitation applicable to the commencement of any arbitral proceedings that are stayed or enjoined pursuant to this order are tolled.

S O O R D E R E D:

Hon. Edward R. Korman
Senior United States District Court Judge

Dated: _____